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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,232	05/21/2001	Greg Arnold	PALM-3649.US.P	9948

7590 08/26/2004

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

SHIN, KYUNG H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

26

Office Action Summary	Application No. 09/863,232	Applicant(s) ARNOLD ET AL.	
	Examiner Kyung H Shin	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application filed on 5/21/2001.
2. Claims **1-24** are pending. Claims **1, 12 and 21 are independent.**

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1 - 24 are rejected under 35 U.S.C. 102(e) as being anticipated by **Serbinis. (US Patent No.6,584,466: Internet document management system and methods, filed on 4/7/99)**

Regarding Claim 1, Serbinis discloses a method of transferring information comprising the steps of:

- a) a first handheld device causing an account to be accessed that is stored on a remote server, said account reserved for a second handheld device and describing a complement of information stored in said second handheld device; (see col. 4, lines 56-60; col. 5, lines 26-35)
- b) said account modified to identify an information that resides on said remote server but not on said second handheld device; (see col. 9, lines 50-56)
- c) said second handheld device establishing a connection with said remote server; (see col. 2, lines 46-51; col. 4, lines 41-44) and
- d) said remote server automatically determining, from said account, that said information is new to said second handheld device and in response thereto for automatically downloading said information to said second handheld device. (see col. 10, lines 36-44)

Regarding Claim 2, Serbinis discloses a method as described in Claim 1 further comprising the step of said first handheld sending said remote server a token identifying said information and said second handheld and wherein said token

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causes said account to be modified by said remote server. (see col. 5, lines 10-15)

Regarding Claim 3, Serbinis discloses a method as described in Claim 1 wherein said first and said second handheld devices are handheld computer systems. (see col. 4, lines 56-60)

Regarding Claim 4, Serbinis discloses a method as described in Claim 1 wherein said information is a version of an application program. (col. 5, lines 35-36) Serbinis' web based Document Management System (DMS) is adapted to manage applications stored as applications files (i.e. zip, exe). Serbinis' Document Management System is equivalent to Applicant's application management system. (see Serbinis col. 5, lines 4-7; col. 5, lines 35-36; col. 3, lines 14-20) Serbinis' description of the information collected, processed, and stored is equivalent to applicant's description of the information collected, processed and stored for the web based application management system (reference's document management system) and information processing services including collaborative file-sharing. Serbinis discloses an web based application management system which is created by the usage of standard information processing concepts.

Regarding Claim 5, Serbinis discloses a method as described in Claim 4 wherein said account comprises an application version record table comprising

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an entry for each application stored in said second handheld device and wherein each entry comprises: an application identifier; a version identifier; and a user identifier. (see col. 7, lines 42-49)

Regarding Claim 6, Serbinis discloses a method as described in Claim 1 wherein said step of automatically downloading said information to said second handheld device, of step d), is performed only if said first handheld device has authority to download to said second handheld device. (see col. 9, lines 19-31)

Regarding Claim 7, Serbinis discloses a method as described in Claim 6 wherein said authority is established via an express grant of permission from said second handheld device to said first handheld device. (see col. 12, line 65 - col. 13, line 7)

Regarding Claim 8, Serbinis discloses a method as described in Claim 6 wherein said authority is established via a user confirmation that is made in response to a user message displayed on a display screen of said second handheld device. (see col. 5, lines 4-7)

Regarding Claim 9, Serbinis discloses a method as described in Claim 1 wherein said remote server is a web based server. (see col. 2, lines 46-51)

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Regarding Claim 10, Serbinis disclose a method as described in Claim 1 wherein said step d) is performed within a synchronization process between a remote server and said second handheld device. (see col. 6, line 64 - col. 7, line 3; col. 10, lines 31-35)

Regarding Claim 11, Serbinis disclose a method as described in Claim 1 wherein said step d) is performed within a synchronization process between a host computer system and said second handheld device. (see col. 6, line 64 - col. 7, line 3; col. 10, lines 31-35)

Regarding Claim 12, Serbinis discloses a system comprising:

- a receiver handheld device; (see col. 4, lines 56-60)

- a remote server containing an account reserved for said receiver handheld device which describes a complement of information stored in said receiver handheld device; (see col. 2, lines 26-35)

- a sender handheld device for causing said account to be modified to identify an information that resides on said remote server but not on said second handheld device; (see col. 9, lines 50-56)

wherein said receiver handheld device is for establishing a connection with said remote server; (see col. 2, lines 46-51; col. 4, lines 41-44) and

wherein said remote server is for automatically determining, from said account, that said information is new to said receiver handheld device and

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automatically for downloading said information to said receiver handheld device. (see col. 10, lines 36-44)

Regarding Claim 13, Serbinis discloses a system as described in Claim 12 wherein said sender handheld is for sending said remote server a token identifying both said information and said receiver handheld and wherein said token causes said remote server to modify said account. (see col. 5, lines 10-15)

Regarding Claim 14, Serbinis discloses a system as described in Claim 12 wherein said sender and said receiver handheld devices are handheld computer systems. (see col. 4, lines 56-60)

Regarding Claim 15, Serbinis discloses a system as described in Claim 12 wherein said information is a version of an application program. (col. 5, lines 35-36)

Regarding Claim 16, Serbinis discloses a system as described in Claim 15 wherein said account comprises an application version record table comprising an entry for each application stored in said receiver handheld device and wherein each entry comprises: an application identifier; a version identifier; and a user identifier. (see col. 7, lines 42-49)

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Regarding Claim 17, Serbinis discloses a system as described in Claim 12 wherein said remote server is also for determining if said sender handheld device has authority to download to said receiver handheld device as a precursor to downloading said information to said receiver handheld device. (see col. 9, lines 19-31)

Regarding Claim 18, Serbinis discloses a system as described in Claim 17 wherein said authority is established via an express grant of permission from said receiver to said sender handheld device. (see col. 12, line 65 - col. 13, line 7)

Regarding Claim 19, Serbinis discloses a system as described in Claim 17 wherein said authority is established via a user confirmation that is made in response to a user message displayed on a display screen of said receiver handheld device. (see col. 5, lines 4-7)

Regarding Claim 20, Serbinis discloses a system as described in Claim 12 wherein said remote server is a web based server. (see col. 2, lines 46-51)

Regarding Claim 21, Serbinis discloses a system comprising:

- a receiver handheld computer; (see col. 4, lines 56-60)
- a web based server containing an account reserved for said receiver handheld computer which describes a complement of information stored in said receiver handheld computer; (see col. 5, lines 26-35)

a sender handheld computer for causing said account to be modified to identify an information that resides on said web based server but not on said receiver handheld computer; (see col. 9, lines 50-56)

wherein said receiver handheld computer is for establishing a connection with said web based server; (see col. 2, lines 46-51; col. 4, lines 41-44) and wherein said web based server automatically determines, from said account, that said information is new to said receiver handheld computer, also determines if said sender handheld computer has authority to download to said receiver handheld computer, and, if so, automatically downloads said information to said receiver handheld computer. (see col. 10, lines 36-44)

Regarding Claim 22, Serbinis discloses a system as described in Claim 21 wherein said sender handheld is for sending said remote server a token identifying both said information and said receiver handheld and wherein said token causes said web based server to modify said account. (see col. 5, lines 10-15)

Regarding Claim 23, Serbinis discloses a system as described in Claim 21 wherein said information is a version of an application program. (col. 5, lines 35-36)

Regarding Claim 24, Serbinis discloses a system as described in Claim 21 wherein said account comprises an application version record table comprising


an entry for each application stored in said receiver handheld device and wherein each entry comprises: an application identifier; a version identifier; and a user identifier. (see col. 7, lines 42-49)

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is 703-305-0711. The examiner can normally be reached on 10 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

KHS
Kyung H Shin
Patent Examiner

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KHS

Aug. 22, 2004